Applicant : Rodney S. Daughtrey            Attorney's Docket No.: 09765-019002
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## REMARKS

### Interview Summary

On April 4, 2006, the examiner, the inventor, Mr. Rodney Daughtrey, Mr. Craig Stelmach of ITA Software, the assignee and undersigned, had a telephonic interview. Discussed was how claim 1 distinguished over the deMarcken reference. No other reference was discussed and no agreement was reached.

The examiner rejected Claims 1-6, 8, 10-49 under 35 U.S.C. 102(e) as being anticipated by deMarcken et al. (US Pat. 6,307,5721) hereinafter deMarcken.

### Claims 1, 32

The examiner stated:

> As to claims 1, 18 and 32, DeMarcken et al. discloses a computer implemented method and corresponding apparatus of a graphical user interface for a travel planning system comprising the steps/means for a tabular region of the graphical user interface that displays summarized criteria of a set of travel options as a plurality of cells that act as controls (See Figure 20, 352, column 1, lines 48 through column 2, lines 10). DeMarcken et al. cites "...a graphical region of the graphical user interface that displays a graphical representation of the itinerary information...The graphical user interface displays a total fare associated with a corresponding itinerary in the graphical representation...."read as the region of the graphical user interface and " ....The one control include a nonstop control, direct control, same airline control... The graphical user interface has an itinerary region that displays a selected itinerary including information pertaining to segments of the itinerary.." read as the plurality of cells that act as controls; a second region that displays selected travel options resulting from filtering the set of travel options in accordance with a control actuated in the tabular region (see Figures 21, 22, column 57, lines 20-56). DeMarcken et al. also cites "...The graphical user interface has user selectable controls such as Origin and Destination. There are also controls for selecting time and date.. .The origin and destination controls invoke a query window.. ..The server process returns to the client process a set of pricing solutions in a compact representation ... .Region depicts a listing of airports in a region about the location entered in area, whereas area lists origins and destinations of a flight slice.. ." read as the second region that displays selected travel options in accordance with a control actuated in the tabular region.

Claim 1, as amended, is distinct over deMarcken. Clam 1 includes the features of ... a tabular region having a plurality of cells, the tabular region comprising cells arranged in plural

columns and plural rows with the cells displaying a summary of a criterion of a set of travel
options, and with the cells being controls that when selected, provide a subset of the travel
options that correspond to the respective criterion or criteria of the selected cell and a second
region that displays aspects of the subset of the travel options resulting from selecting the
respective cell in the tabular region.

deMarcken does not describe these features of claim 1. Apparently, the examiner
contends that nonstop control, direct control, same airline control correspond to a column of the
tabular regions, the itinerary region that displays itineraries corresponding to the plurality of cells
that act as controls.

deMarcken neither describes nor suggests a tabular region having a plurality of cells. In
deMarcken FIGS. 22 to 26, is shown a bar graph user interface. The itinerary region relied on by
the Examiner does not possess the features of the tabular region comprising cells arranged in
plural columns and plural rows. Neither the itinerary region nor the controls in deMarcken are
arranged in a tabular regions of plural columns and plural rows. Moreover, deMarcken does not
teach that the cells displaying a summary of a criterion of a set of travel options.

Claim 2

Claim 2 distinguishes by requiring that the interior cells that intersect at least one column
and at least one row display a value that summarizes travel options that meet a pair of criteria
according to the criterion in a respective one of the columns and the criterion in the respective
one of the rows. The examiner appears to equate the interior cells of Applicant's claim with the
bar graph teaching of deMarcken. As explained above, the bar graph teaching does not suggest
the arrangement of cells as claimed in claim 1. Moreover, the bar graph and the individual
itineraries displayed in the bar graph do not display a value that summarizes travel options, in
general or a value that summarizes travel options that meet a pair of criteria according to the
criterion in a respective one of the columns and the criterion in the respective one of the rows, in
particular.

Claim 3

Claim 3 further distinguishes since ... actuation of one of the controls in a column that is an exterior column causes results to be displayed in the second region as a grouping of travel options according to the criterion corresponding to the exterior column. deMarcken does not teach that the selection of the controls alongside of the interface causes results to be displayed in the second region. Rather, in deMarcken, the results are displayed in the itinerary region, a region that the examiner equates to the interior cells.

Claim 4

Claim 4 recites that actuation of one of the controls in one of the rows or columns on the periphery of the tabular regions causing the results to be displayed in the results region as a grouping of travel options in accordance with a summary of a criterion corresponding to the selected control. deMarcken does not describe display of results in the results region, as a grouping of travel options.

Claim 5

Claim 5 further limits claim 1 by reciting that upon actuation of one of the controls that is an interior one of the cells in the rows and columns, causes the results to be displayed as a grouping of travel options in accordance with criteria corresponding to the intersection of a corresponding row and a corresponding column. deMarcken does not describe interior cells and certainly does not describe that selecting an interior cell causing the results to be displayed as a grouping of travel options in accordance with criteria corresponding to the intersection of a corresponding row and a corresponding column. Rather, in deMarcken selecting an itinerary in the itinerary regions, which the examiner equates to the interior cells results in viewing details about that one itinerary. It does not for instance depict all non-stop flights with first class fares using the examiner's reasoning.

Claim 8

Claim 8 recites that the graphical user interface of claim 1 has the tabular region as a tabbed table comprising at least one of an airline tab, an airport tab and a flight time tab.

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The examiner states that FIG. 24 depicts a tabbed table, but does not say where the tabs on the table are in deMarcken. FIG. 24 is reproduced below. Appellant requests that the examiner specifically point them out.
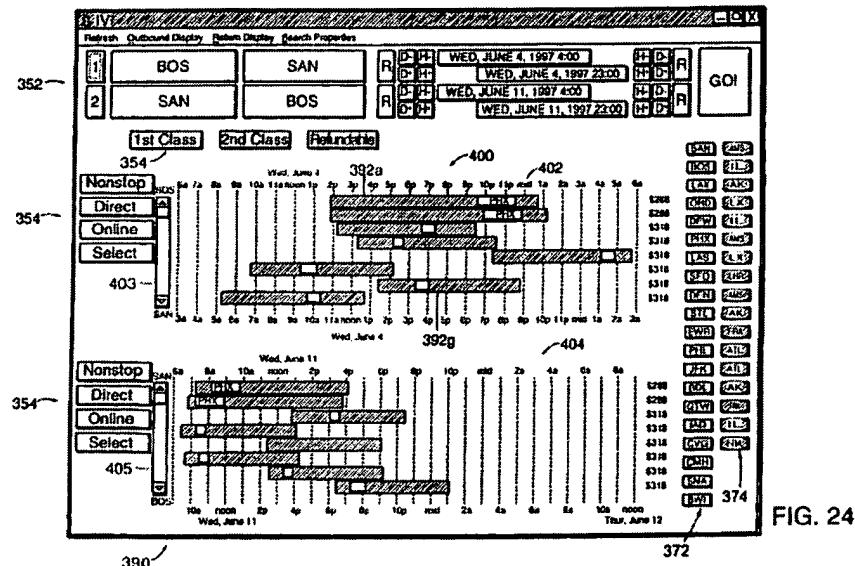


FIG. 24

In contrast, Applicant has also reproduced FIG. 3 from the instant case that shows an example of a tabbed table with an airline tab, an airport tab and a flight time tab clearly denoted.
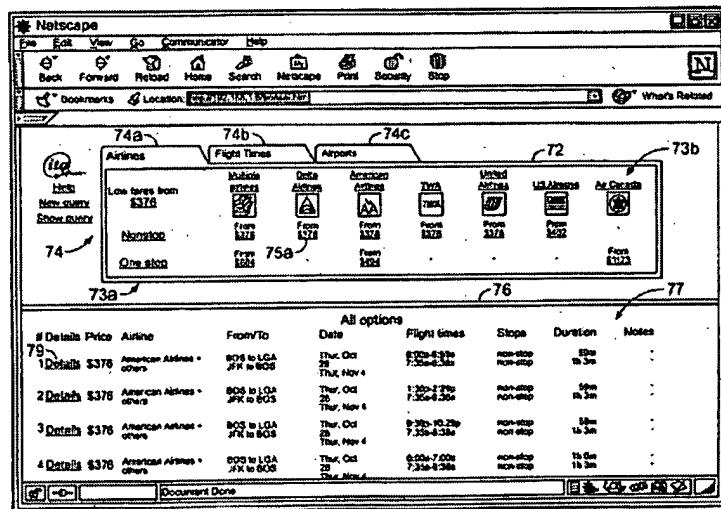


FIG. 3

deMarcken FIG. 24 does not show a table, nor a tabbed table. Moreover, the examiner has not advanced any reasoning why a tabbed table would be suggested by deMarcken. Can the examiner kindly point out the "tabs" in the "tabbed table" in deMarcken in order to assist Applicant in furthering prosecution of this case?

Claims 10, 27

Claim 10 is directed to a method for displaying travel options. Claim 10 includes compartmentalizing travel options into bins according to a set of criteria of the travel options and displaying a summary of the travel options in a graphical user interface according to the bins.

The examiner contends that:

> **As to claims 10 and 27, DeMarcken et al. demonstrates compartmentalizing travel options into 'bins', according to a set of criteria (Figure 20, bin Nonstop, bin Direct, bin Online, bin Select, a set of criteria Origin, Destination).**

Claim 10 is distinct over deMarcken, since deMarcken does not describe the features of Nonstop, Direct Online, etc as bins nor does deMarcken describe compartmentalizing travel options into bins. According to claim 10, the method requires compartmentalizing the travel options into bins according to a set of criteria of the travel options and displaying a summary of the travel options in a graphical user interface according to the bins. deMarcken does neither. As for compartmentalizing, deMarcken teaches instead that"

> **Nonstop, Direct, Online, Select, a set of criteria Origin, Destination, are instead controls "The window 370 also includes a series of user preference controls 354, here "Nonstop", "Direct", "Online (on the same airline)" and "Select" shown as not activated and "1st class", "2nd class" and "Refundable" shown activated. The Nonstop, Direct and Online controls when selected by a user will eliminate all components from the pricing solution that do not correspond to nonstop, direct or online flights. A select control operates in conjunction with the user marking one or more potential pricing solutions such that the numbers which appear shaded out are activated. When one or more of the pricing solutions are activated and the select button is pressed, the client process extracts pricing solutions from the pricing graph. The "1st class", "2nd class" and "Refundable" controls when activated eliminate fares that do not correspond to these classes of travel.**

deMarcken thus does not describe these controls resulting from some compartmentalizing of travel solutions into bins, but instead describes: "The window 370 has a graphical region that

provides a visual representation of pricing solutions extracted from the pricing graph 38'."
deMarcken also does not teach displaying a summary of the travel options in a graphical user
interface according to the bins. Rather, deMarcken teaches that:

> The window 370 also includes a listing 372 of airports involved in the
> results provided from the pricing graph 38', as well as, a listing 374 of airlines. The
> window 370 has a graphical region that provides a visual representation of pricing
> solutions extracted from the pricing graph 38'. One preferred representation of the
> pricing solution is a horizontal bar graph 376. The itineraries are ordered by
> increasing total fare with each entry 376a of the bar graph corresponding to a set of
> flight segments on airlines that provide travel from the origin (e.g., 'ESB') to the
> destination (e.g., SAN, San Diego International Airport) on airlines coded in
> accordance with the legends for the airline in listing 374 with stopovers denoted by
> airports. The bar graph representation displays a metric of the pricing solution in a
> graph format.

deMarcken rather than teaching displaying a summary of the travel options according to
the bins, displays a bar graph representation of the actual travel options. Rather, then
summarizing travel options deMarcken teaches to extract the travel options using the controls
and display a representation of the travel options.

### Claims 11, 28

Claim 11 further limits claim 10 by requiring displaying criteria associated with the bins
as cells in a table. deMarcken does not depict a table but instead depicts a set of controls that
surround a bar graph representation of actual pricing solutions.

### Claims 12, 29

Claim 12 further limits compartmentalizing the travel options into bins of claim 10 by
displaying criteria associated with the bins in a two-dimensional table, with one criterion
assigned to each dimension of the table.

deMarcken does not assign only one criterion to each dimension of a table, since
deMarcken does not describe a table, and even under the examiner's interpretation of
deMarcken, deMarcken fails to show one criterion assigned to each dimension of the "table." In
deMarcken Fig. 22, there is no assignment of any criterion to any dimension of the user interface
depicted. Rather, as is seen in Fig. 22 several criterion are in the vertical and horizontal

dimensions, but Applicant contends that they are not assigned to the table and in any event do not meet the limitation of assigning only one criterion to each dimension ... .

### Claims 13, 30

Claim 13 further distinguishes claim 10 as discussed for claim 12 and also since it requires ... a third criterion depicted in each cell that is an interior cell of the table. deMarcken fails to suggest that the itinerary region of deMarcken would depict a third criterion.

### Claims 16 and 17

Claims 16 and 17 serve to distinguish over deMarcken since deMarcken at least does not suggest selecting a cell from the table.

### Claim 18

Claim 18 further limits claim 10 by displaying the graphical user interface as a tabbed table. deMarcken does not suggest a tabbed table, as discussed above. deMarcken further does not describe arranging the tabbed table according to an airline tab, an airport tab and a flight time tab. deMarcken does not suggest that each tab includes a tabular region that displays summarized criteria of the set of travel options as a plurality of cells that act as controls according to the bins ... .

### Claim 19

Claim 19 further limits claim 11 by reciting that the table is a tabbed table. deMarcken does not suggest that displaying the resulting bins in a first tab of the table, with one criterion assigned to each of two dimensions of the table, and with additional criteria depicted in corresponding additional ones of the plurality of tabs of the tabbed table.

### Claim 20

Claim 20 is directed to a graphical user interface for a travel planning system. Claim 20 distinguishes since deMarcken fails to suggest a tabular region of the graphical user interface that displays criteria of a set of travel options as a plurality of cells that act as controls, which when selected, displays aspects of a subset of the travel options according to the criterion or criteria

corresponding to the control selected. deMarcken does not describe or suggest a tabular region or that the regions displays criteria of the set of travel options as cells that are controls to display further aspects of the a subset of the travel options according to the criteria.

### Claim 22

Claim 22 limits claim 20 and requires that the controls in the tabular region are arranged in a column with actuation of one of the controls in the column causing results to be displayed as a grouping of travel options according to a criterion of the set of travel options, with the criteria corresponding to the actuated control.

### Claim 23

Claim 23 requires the graphical user interface have the controls in the tabular region arranged in rows and columns and that actuation of one of the controls in a peripheral one of the rows or columns, causes the results to be displayed as a grouping of travel options in accordance with the criterion corresponding to the one control.

### Claim 23

Claim 24 requires … actuation of one of the controls that is an interior one of the cells in the rows and columns, causes the results to be displayed as a grouping of travel options in accordance with criteria corresponding to the intersection of a corresponding row and a corresponding column.

deMarcken neither describes nor suggest the features of either of these claims, since deMarcken does not describe a table, or peripheral controls to provide results according to on criterion or interior cells providing results according to criteria corresponding to an intersection of the corresponding row and column.

### Claim 26

Claim 26 features the graphical user interface of claim 20 as a tabbed table comprising at least one of an airline tab, an airport tab and a flight time tab. deMarcken does not suggest this for reasons discussed above.

### Claims 40, 45

Claim 40 distinguishes over deMarcken since deMarcken fails to suggest the combination of ... determining bins for criteria included in the travel options, associating the travel options with the bins according to the criteria and determining intersections of the bins according to the criteria. deMarcken does not teach binning of travel options according to a criteria nor does deMarcken suggest determining intersections of the bins according to the criteria, generally as discussed above.

In addition, deMarcken fails to suggest generating a table based at least in part on the intersections of the bins and displaying the table as a graphical user interface with dimensions of the table corresponding to the bins determined according to the criteria. deMarcken Fig. 24 etc. does not show or suggest a table, as discussed above. In addition this claim requires that the dimensions of the table are based in part on the intersections of the bins. deMarcken shows the controls based not on intersections of bins, but as preset in the deMarcken interface.

### Claims 41, 46

Claim 41 recites that a bin comprises a value associated with a respective criterion. deMarcken does not teach determining values associated with the controls that the examiner alleges corresponds to the table.

The examiner also rejected Claims 7 and 9 under 35 U.S.C. 103(a) as being unpatentable over deMarcken et al. in view of Ran et al. US. 6,209,0261.

Claim 7, which recites that the graphical user interface of claim 6 is implemented as a web page and the controls are hyperlinks to the enumeration routines and claim 9, which limits claim 1 to graphical user interface represented in a first web page and the results region displays itineraries and includes links that invoke a second web page to display details of the itineraries are not suggested by the combination of references, since at least for the reason that the references fail to features of the base claims and Ran the secondary reference fails to address any of the missing teachings in deMarcken.

Those claims not specifically addressed above are allowable at least for the reasons discussed in their respective base claims.

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Respectfully submitted,

Date:____4/5/06_____
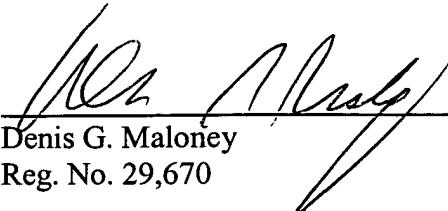
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